

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ERIC SKANSGAARD, as an individual and )  
as a representative off the classes, )  
Plaintiff, ) NO.  
v. )  
BANK OF AMERICA, N.A. and BAC ) DEC  
HOME LOANS SERVICING, L.P. ) LIN  
Defendants. )

**DECLARATION OF MATTHEW G.  
LINDENBAUM**

I, Matthew G. Lindenbaum, state as follows:

1. I am an attorney at Goodwin Procter LLP and am counsel for Defendants Bank of America, N.A. and BAC Home Loans Servicing, L.P. with respect to this action. I make this declaration in support of Defendants' Notice of Removal of Action.

2. In the course of my representation of Defendants in this action, and in conjunction with Stephen Grzeskowiak, formerly of Balboa Insurance Company, I have conducted an investigation into the facts underlying Plaintiffs' claims in this matter.

3. From September 2009 through May 24, 2011, a total of 1,254 Washington borrowers either obtained flood insurance in excess of their principal balance, or had such

DECLARATION OF MATTHEW G. LINDENBAUM - 1

**LANE POWELL PC**  
1420 FIFTH AVENUE, SUITE 4100  
SEATTLE, WASHINGTON 98101-2338  
206 223 7000 FAX: 206 223 7107

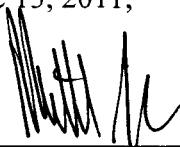
1 flood insurance lender-placed, after receiving letters from Bank of America informing them of  
2 its flood insurance requirements.

3 4. From January 2006 through May 24, 2011, a total of 2,548 Washington  
4 borrowers had lender-placed flood insurance purchased for their property.

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1 I declare under the penalty of perjury of the laws of the United States of America that  
2 the foregoing is true and correct to the best of my knowledge.  
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Dated at Boston, Massachusetts on June 13, 2011,

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6 \_\_\_\_\_  
7 Matthew G. Lindenbaum  
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1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on June 13, 2011, I caused a true and accurate copy of the  
3 foregoing Declaration of Matthew G. Lindenbaum to be served by U.S. First Class Mail,  
4 postage prepaid, upon counsel for Plaintiff Eric Skansgaard at the following address:

5                   Beth E. Terrell  
6                   Michael D. Daudt  
7                   Terrell Marshall Daudt & Willie PLLC  
8                   936 North 34<sup>th</sup> Street, Suite 400  
9                   Seattle, Washington 98103-8869

10                  Dated: June 13, 2011

11                  s/ John S. Devlin III  
12                  John S. Devlin III